ESEA FLEXIBILITY

STEERING COMMITTEE MEETING #1

FRIDAY MAY 11, 2012; 9 – 11 AM

ROOM 600, CROSS BUILDING

Outcomes

1. Review charge, membership, and scope of the work expected of the ESEA Flexibility Steering Committee and the Working Groups;
2. Review the current accountability system in place;
3. Understand the criteria of the ESEA Flexibility application program and place them in the context of Maine's vision of state accountability
4. Determine specific next steps related to the Steering Committee and develop initial timeline
5. Identify preliminary list of stakeholder groups with key contacts and establish a process for ensuring their perspectives are included in the development of the application
6. Determine dates for future Steering Committee meetings

Agenda

9 AM	Welcome, introductions, and overview of the agenda
9:05 AM	Reviewing the charge of the Steering Committee and the overall strategy for completing and submitting an ESEA Flexibility application Develop norms and decision-making processes for the group
9:20 AM	Overview of the current state accountability system and its inherent challenges
9:35 AM	Description of the vision of state accountability and framework for Maine's ESEA Flexibility submission
10:00 AM	Overview of the ESEA Flexibility program, application requirements, and summary of Round I awardees
10:30 AM	Initial determination of critical action steps leading to the submission of an application
10:50 AM	Identification of key stakeholder groups, primary points of contact, and discussion of enlistment strategy to ensure their perspectives are included in the construction of the submission (time permitting)
11 AM	Closure: next steps and meeting schedule

***Next Meeting: TBA**

SUGGESTED STARTER MEETING & COMMUNICATION NORMS

The following are offered merely as a means to begin the conversation around developing norms:

In order to undertake the highly complex work of collaboratively developing a successful ESEA Flexibility application, we are committed to:

- Building on and supporting one another's efforts
- Acknowledging and encouraging different approaches as we collaborate
- Trusting in the integrity of one another
- Monitoring our air time in group gatherings
- Communicating openly, clearly, and directly
- Acknowledging and honoring different perspectives
- Assuming positive intentions of all members
- Make use of 'Parking Lot' to list and keep track of ideas and questions not directly related to the meeting's agenda that will need to be addressed at a later date

Additional considerations and questions:

1. What do you need from fellow group members in order to do your best work and bring your best thinking to the group?
2. From the suggested list above, what – if anything – should be added, deleted, and/or modified?
3. How does the group wish to make decisions?
4. How does the group wish to handle members absences?

ESEA Flexibility Steering Committee Membership
May 11, 2012

Stephen L. Bowen, Commissioner
Maine Department of Education

Jill Adams, Executive Director
Maine Administrators of Services to Children with Disabilities (MADSEC)

Dale Douglass, Executive Director
Maine School Management Association (MSMA) and
Maine School Boards Association (MSBA)

Dick Durost, Executive Director
Maine Principal's Association (MPA)

Sandra McArthur, Executive Director,
Maine School Superintendent's Association (MSSA) and
Deputy Executive Director, MSMA

Rob Walker, Executive Director
Maine Education Association (MEA)

Maine Department of Education Staff

Deborah Friedman, Director of Policy & Programs

Rachelle Tome, ESEA Federal Programs Director

Dan Hupp, Director of Standards and Assessment

Jaci Holmes, Federal-State Liaison

David Connerty-Marin, Director of Communications

Facilitator

Mark Kostin, New England Secondary Schools Consortium Staff

ACCOUNTABILITY IN A LEARNER-CENTERED EDUCATION SYSTEM:

CONSTRUCTING AN ACCOUNTABILITY SYSTEM THAT WORKS FOR MAINE

Context

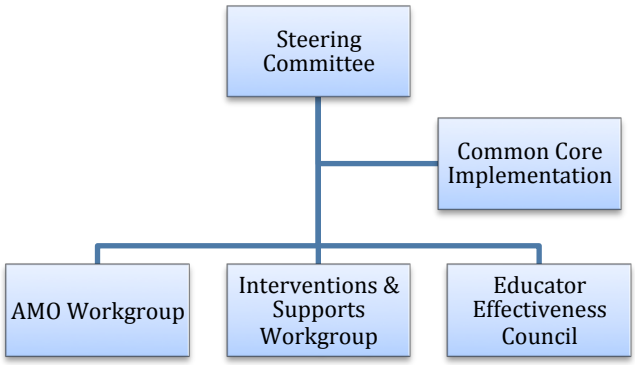
On September 23, 2011, President Obama and Secretary Duncan announced an opportunity for states to revise their school accountability systems in exchange for flexibility and relief from some of the provisions of the *Elementary and Secondary Education Act* (ESEA). On February 13, 2012, Commissioner Stephen Bowen informed Secretary Duncan of Maine's plans to hold the 2011-2012 Annual Measurement Objectives (AMOs) at the same level as the 2010-2011 school year (as permitted by USDE) and take the time necessary to continue to construct an accountability system that works for Maine schools.

To this end, the Commissioner is charging a steering committee and three working groups with the task of developing the key elements that will constitute this new system. Regardless of whether ESEA is reauthorized, the critical core elements proposed by these groups will be used to formulate the state's accountability program – either as part of the flexibility program or as part of an officially reauthorized federal program.

The expectation is that membership in the steering committee and the working groups will be finalized by the end of March and that the work of these groups begins in earnest by the beginning of April. These groups will work through the spring and into the summer so that the Commissioner, through guidance provided by the steering committee, can make a determination by late summer regarding the state's overall readiness to consider submitting a complete application to the United States Education Department in time for the ESEA Flexibility Round III deadline of September 8th.

Structure

A total of four groups will work in concert to propose the core elements of the accountability system – one group will be responsible for providing oversight and coordinating the effort, two working groups will investigate and develop specific recommendations in key areas, and a the work of a fourth group, the Educator Effectiveness Council developed pursuant to LD 1858, will inform development of the waiver as well. Common Core implementation is another element of the ESEA waiver application, but one for which an implementation plan is already in development.



Accountability System Steering Committee		
Charge: 1. Finalize membership in the working groups; 2. Provide overview, guidance, and support to each of the working groups; 3. Receive the reports of the working groups and craft the core components of a statewide accountability system to recommend to the Commissioner; 4. Support the engagement of key stakeholder groups, including members of representing all official student subgroups		
Deliverables	**Proposed Membership**	**Notes:**
1. Clarified charge for each of the working groups 2. List of recommended individuals to serve in the working groups 3. List of individuals and/or organizations representing students from various subgroups 4. Input and feedback from individuals and/or organizations representing students from various subgroups 5. Recommended elements of statewide accountability system that meet the requirements of the current ESEA Flexibility program and, if applicable, any future guidance resulting from a reauthorized ESEA 6. Formal presentation(s) of the statewide accountability model to education stakeholders across the state	1. Stephen Bowen 2. Deborah Friedman 3. Rachelle Tome 4. Dan Hupp 5. David Connerty-Marin 6. Jaci Holmes 7. Mark Kostin 8. MSMA 9. MPA 10. MADSEC 11. MEA 12. Rep. from ELL community 13. Others?	

Working Group #1. AMOs		
Charge: 1. Identify the student assessments that will be used to determine the level of proficiency of students (all and subgroups) in a school 2. Determine additional student learning measures, if applicable, to be used 3. Determine specific proficiency benchmarks to be used to determine a school's accountability status 4. Propose at least four different levels of school performance commensurate with the ESEA flexibility guidelines (i.e. priority, focus, and reward) 5. Work with the Interventions & Support Working Group to determine the manner in which schools and/or districts can exit any identified status associated with poor performance		
Deliverables	**Proposed Membership**	**Notes:**
1. List of student learning assessments 2. List of other measures of student learning 3. List of AMO targets by year 4. List of school and/or district performance designations 5. Process by which schools and/or districts deemed poor performance leave their status	1. Dan Hupp 2. Bill Hurwitch 3. Brian Snow 4. DOE ESEA team member 5. Mark Kostin 6. Teacher 7. Principal 8. Superintendent or District Administrator 9. Special Educator 10. Higher Education data specialist 11. Others?	

Working Group #2. Interventions and Supports		
Charge: 1. Determine and name at least four levels of overall student and/or district performance compared to the established AMOs. 2. These performance levels must meet the stated requirements of the current ESEA flexibility opportunity (i.e. priority, focus, and reward) and any other guidance resulting from reauthorization of ESEA 3. Determine the support to be provided and the interventions to be implemented for schools and/or districts that have been identified, commensurate with the specific areas of need 4. Determine the process by which schools and/or districts identified as needing support will be identified and apply for funds 5. Develop the system by which the DOE will provide ongoing support for schools and/or districts in this category 6. Develop the manner in which reward schools will be recognized along with any other possible relief and/or compensation 7. Determine the manner in which schools and/or districts can exit their stated status 8. Work in conjunction with the AMO Working Group when necessary		
Deliverables	**Proposed Membership**	**Notes:**
1. List and description of status categories 2. Document outlining the differentiated support and interventions based on performance categories 3. Process for accessing and monitoring the use of targeted resources 4. Description of DOE intervention and support model 5. List of recognitions, relief, and/or compensation for reward schools 6. Description of steps for exiting status	1. Rachelle Tome 2. Steve Vose 3. Teacher 4. Principal 5. Superintendent or District Administrator 6. School support organization representatives (2) 7. Mark Kostin 8. Others?	

MAINE ESEA WAIVER REQUEST CHECKLIST

As of May 11, 2012

I. Application components and process

1. **A table of contents and a list of attachments**, using forms on pages 1 and 2.
2. **The cover sheet** (p.3)
3. **Waivers requested** (pp.4-6), and
4. **Assurances** (pp. 7-8).

Responsible party(ies)	Draft due	Notes
Commissioner		

5. **A description of how the SEA has met the consultation requirements** (p. 9): An SEA must meaningfully engage and solicit input from diverse stakeholders and communities - such as students, parents, community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, and Indian tribes - in the development of its request. *Evidence of how the Waiver Request was modified during the consultation process must be provided.*

Responsible party(ies)	Draft due	Notes
Steering Committee		

6. **An overview of the SEA's request for the ESEA flexibility** (p. 9). This overview (~500 words) is a synopsis of the SEA's vision of a comprehensive and coherent system to improve student achievement and the quality of instruction and will orient the peer reviewers to the SEA's request. It must describe how the implementation of the waivers and principles will enhance the SEA's and its LEAs' ability to increase the quality of instruction for students and improve student achievement.

Responsible party(ies)	Draft due	Notes
Commissioner		

II. Evidence and plans to meet Principle 1: College- and career-ready expectations for all students

7. **1A: Adopt College and career-ready standards (CCSSI) - Option A** (p. 10)
8. **1B: Transition to College- and career-ready standards (Common Core implementation plan)** (p. 10)
9. **1C: Develop and administer annual, statewide, aligned, high-quality assessments that measure student growth (SBAC) – Option A** (p. 11)

Responsible party(ies)	Draft due	Notes
Steering Committee *Dan Hupp* *AMO Group (?)*		

III. Evidence and plans to meet the principles: Principle 2: State-developed differentiated recognition, accountability, and support

10. **2A: Develop and implement state-based system of differentiated recognition, accountability, and support** (p. 12). description includes all the components listed in Principle 2, the SEA's plan for implementation no later than the 2013-2014 (?) school year, and an explanation of how the SEA's system is designed to improve student achievement and school performance, close achievement gaps, and increase the quality of instruction for students.

Responsible party(ies)	Draft due	Notes
Support/Interventions Group AMO Group		

11. **2B: Set ambitious but achievable annual measurable objectives (accountability)** (p. 13). Select the method the SEA will use to set new ambitious but achievable annual measurable objectives in at least reading/language arts and mathematics for the State and all LEAs, schools and subgroups.

Responsible party(ies)	Draft due	Notes
AMO Group		

12. **2C: Reward schools (recognition):** Describe the SEA's methodology for identifying highest-performing and high-progress schools as reward schools (p. 14)
13. **2D: Priority schools (recognition).** Describe the SEA's methodology for identifying a number of lowest-performing schools equal to at lease five percent of the State's Title I schools as priority schools (pp. 14-15)
14. **2E: Focus Schools (recognition).** Describe the SEA's methodology for identifying a number of low-performing schools equal to at least 10 percent of the State's Title I schools as "focus schools." (p. 15)

Responsible party(ies)	Draft due	Notes
AMO Group		

15. **2F: Provide incentives and supports for other Title I schools (support).** Describe how the SEA's system will provide incentives and supports to ensure continuous improvement in other Title I schools that…are not making progress in improving student achievement. (p. 17)
16. **2G: Build SEA, LEA, and school capacity to improve student learning (support).** Describe the SEA's process for building SEA, LEA, and school capacity to improve student learning in all schools and, in particular, in low-performing schools and schools with the largest achievement gaps. (p. 17)

Responsible party(ies)	Draft due	Notes
Support/Interventions Group		

IV. Evidence and plans to meet the principles: Principle 3: Supporting effective instruction and leadership

17. **3A: Develop and adopt guidelines for local teacher and principal evaluation and support systems (Option A)** (p. 18). The SEA's plan is to develop and adopt guidelines for local teacher and principal evaluation and support systems by the end of the 2012-2013 school year (?). Includes a description of the process the SEA will use to involve teachers and principals in the development of these guidelines.
18. **3B: Ensure LEA's implement teacher and principal evaluation and support systems** (pp. 18-19). Provide the SEA's process for ensuring that each LEA develops, adopts, pilots, and implements…high-quality teacher and principal evaluation and support systems consistent with the SEA's adopted guidelines

Responsible party(ies)	Draft due	Notes
Maine Educator Effectiveness Council		

PLEASE NOTE: Legislative Information ***cannot*** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Ensure Effective Teaching and School Leadership

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. 20-A MRSA §1055, sub-§10, as amended by PL 2011, c. 172, §1, is further amended to read:

10. Supervise school employees. The superintendent is responsible for ~~the evaluation of~~implementing a performance evaluation and professional growth system for all teachers and principals pursuant to chapter 508 and an evaluation system for all other employees of the school administrative unit. The superintendent shall evaluate probationary teachers during, but not limited to, their 2nd year of employment. The method of evaluation must be determined by the school board, be in compliance with the requirements of chapter 508 and be implemented by the superintendent.

Sec. A-2. 20-A MRSA §13201, 5th ¶, as amended by PL 2011, c. 172, §2 and affected by §4, is further amended to read:

The right to terminate a contract, after due notice of 90 days, is reserved to the school board when changes in local conditions warrant the elimination of the teaching position for which the contract was made. The order of layoff and recall is a negotiable item in accordance with the procedures set forth in Title 26, chapter 9-A. In any negotiated agreement, the criteria negotiated by the school board and the bargaining agent to establish the order of layoff and recall must include the teacher's effectiveness rating pursuant to chapter 508 as a factor and may also include, but may not be limited to, seniority.

Sec. A-3. 20-A MRSA c. 508 is enacted to read:

CHAPTER 508

EDUCATOR EFFECTIVENESS

§ 13701. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Educator. "Educator" means a teacher or a principal.

2. Effectiveness rating. "Effectiveness rating" means the level of effectiveness of an educator derived through implementation of a performance evaluation and professional growth system.

3. Performance evaluation and professional growth system. "Performance evaluation and professional growth system" or "system" means a method developed in compliance with this chapter by which educators are evaluated, rated on the basis of effectiveness and provided opportunities for professional growth.

4. Professional improvement plan. "Professional improvement plan" means a written plan developed by a school or district administrator with input from an educator that outlines the steps to be taken over the coming year to improve the effectiveness of the educator. The plan must include but need not be limited to appropriate professional development opportunities.

5. Summative effectiveness rating. "Summative effectiveness rating" means the effectiveness rating of an educator that is assigned at the end of an evaluation period. Ratings or comments provided to the educator during the evaluation period for the purpose of providing feedback, prior to assignment of a final effectiveness rating, are not summative effectiveness ratings.

§ 13702. Local development and implementation of system

Each school administrative unit shall develop and implement a performance evaluation and professional growth system for educators. The system must meet the criteria set forth in this chapter and rules adopted pursuant to this chapter and must be approved by the department.

§ 13703. Use of effectiveness rating; grievance

A superintendent shall use effectiveness ratings of educators to inform strategic human capital decision making, including, but not limited to, decision making regarding recruitment, selection, induction, mentoring, professional development, compensation, assignment and dismissal.

Receipt of summative effectiveness ratings indicating that a teacher is ineffective for 2 consecutive years constitutes just cause for nonrenewal of a teacher's contract unless the ratings are the result of bad faith.

Any appeal of, or grievance relating to, an evaluation conducted pursuant to this chapter or an effectiveness rating resulting from implementation of a system is limited to matters relating to the implementation of the system or the existence of bad faith in an evaluation or the assignment of a rating. The professional judgment involved in an evaluation or implementation of the system is not subject to appeal or grievance.

§ 13704. Elements of system

A performance evaluation and professional growth system consists of the following elements:

1. Standards of professional practice. Standards of professional practice by which the performance of educators must be evaluated.

A. The department shall provide, by rule, a set of standards of professional practice or a set of criteria for determining acceptable locally determined standards for teachers and a set of standards

of professional practice or a set of criteria for determining acceptable locally determined standards for principals;

2. Multiple measures of effectiveness. Multiple measures of educator effectiveness, other than standards of professional practice, including but not limited to student learning and growth;

3. Rating scale. A rating scale consisting of 4 levels of effectiveness.

A. The rating must be based on standards of professional practice and measures of educator effectiveness. The proportionate weight of the standards and the measures is a local decision, but measurements of student learning and growth must be a significant factor in the determination of the rating of an educator.

B. The rating scale must set forth the professional growth opportunities and the employment consequences tied to each level.

C. At least 2 of the levels must represent effectiveness, and at least one level must represent ineffectiveness;

4. Professional development. A process for using information from the evaluation process to inform professional development;

5. Implementation procedures. Implementation procedures that include the following:

A. Evaluation of educators on a regular basis, performed by one or more trained evaluators. The frequency of evaluations may vary depending on the effectiveness level at which the educator is performing, but observations of professional practice, formative feedback and continuous improvement conversations must occur throughout the year for all educators;

B. Ongoing training on implementation of the system to ensure that all educators and evaluators understand the system and have the knowledge and skills needed to participate in a meaningful way;

C. A peer review component to the evaluation and professional growth system and opportunities for educators to share, learn and continually improve their practice; and

D. Formation of a steering committee composed of teachers, administrators and other school administrative unit staff that regularly reviews and refines the performance evaluation and professional growth system to ensure that it is aligned with school administrative unit goals and priorities; and

6. Professional improvement plan. The opportunity for a educator who receives a summative effectiveness rating indicating ineffectiveness in any given year to implement a professional improvement plan.

§ 13705. Phase-in of requirements

The requirements of this chapter apply to all school administrative units beginning in the 2015-2016 school year. In the 2013-2014 school year, each unit shall develop a system that meets the

standards of this chapter, in collaboration with teachers, principals, administrators, school board members, parents and other members of the public. In the 2014-2015 school year, each unit shall operate as a pilot project the system developed in the prior year by applying it in one or more of the schools in the unit or by applying it without using results in any official manner or shall employ other means to provide information to enable the unit to adjust the system prior to the first year of full implementation. Nothing in this section prohibits a unit from fully implementing the system earlier than the 2015-2016 school year.

§ 13706. Rules

The department shall adopt rules to implement this chapter, including but not limited to a rule relating to the method of identifying the educator or educators whose effectiveness ratings are affected by the measurement of learning or growth of a particular student. The department shall also adopt rules pertaining to the approval of performance evaluation and professional growth systems pursuant to section 13702. Rules adopted pursuant to this section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. A-4. 20-A MRSA §15681, sub-§1, ¶D is enacted to read:

D. To receive targeted educator evaluation funds, a school administrative unit must have or be in the process of developing a performance evaluation and professional growth system pursuant to chapter 508 and the rules adopted pursuant to that chapter.

Sec. A-5. 20-A MRSA §15681, sub-§6 is enacted to read:

6. Targeted funds for educator evaluation. For educator evaluation funds beginning with the 2013-2014 school year, the commissioner shall calculate the amount available to assist school administrative units in developing and implementing performance evaluation and professional growth systems pursuant to chapter 508.

Sec. A-6. Council created. The Maine Educator Effectiveness Council, referred to in this section as "the council," is created to make recommendations regarding implementation of the Maine Revised Statutes, Title 20-A, chapter 508 to the Commissioner of Education and the Joint Standing Committee on Education and Cultural Affairs.

1. Members. The council consists of the Commissioner of Education or the commissioner's designee and the following members, appointed by the Commissioner of Education:

A. A member of the State Board of Education, nominated by the state board;

B. Four public school teachers, at least one of whom is a special education teacher, appointed from a list of names provided by the Maine Education Association;

C. A member representing educators in tribal schools in this State, appointed from a list of names provided by the respective tribal schools that are affiliated with Maine Indian Education;

D. Two public school administrators, appointed from a list of names provided by the Maine Principals' Association and the Maine School Superintendents Association;

E. Two members of school boards, appointed from a list of names provided by the Maine School Boards Association;

F. One faculty member representing approved educator preparation programs;

G. Two members of the business community; and

H. Two members of the general public with interest and experience in the education field.

The council must be cochaired by the Commissioner of Education and one other council member elected by the full membership of the council. The council may establish subcommittees and may appoint persons who are not members of the council to serve on the subcommittees as needed to conduct the council's work.

2. Duties. The council shall recommend standards for implementing a system of evaluation and support of teachers and principals consistent with the requirements of Title 20-A, chapter 508. The council shall:

A. Recommend a set of professional practice standards applicable to teachers and a set of professional practice standards applicable to principals;

B. Recommend a 4-level rating scale with clear and distinct definitions applicable to teachers and principals;

C. Recommend potential measures of student learning and growth;

D. Recommend the major components of an evaluation process, including but not limited to:

(1) Ongoing training to ensure that evaluators and teachers and principals have a full understanding of the evaluation system and its implementation;

(2) Methods of gathering evidence for the evaluation, which may include observation by supervisors and peers, self-reflection, student or parent surveys, analysis of artifacts and evidence portfolios;

(3) Methods of providing feedback to teachers and principals for formative evaluation purposes;

(4) Weighting of measures used in evaluating teachers and principals, which must provide that student learning and growth indicators inform a significant portion of the effectiveness rating;

(5) Methods for aligning district, school and classroom goals using the evaluation system; and

(6) Methods for linking summative effectiveness ratings to human capital decisions; and

E. Recommend a system of supports and professional development linked to effectiveness ratings for teachers and principals, including a process for developing and implementing a professional improvement plan.

3. Report. The Commissioner of Education shall submit a report regarding the work of the council to the Joint Standing Committee on Education and Cultural Affairs no later than November 1, 2012. The report must include the council's recommendations regarding implementation of the requirements set forth in Title 20-A, chapter 508 and recommendations regarding the continuing work of the council.

4. Staff assistance. The Department of Education shall provide staff assistance to the council. The department may seek and employ grant funds to provide additional assistance.

5. Council continuation. The council is authorized to continue meeting, if it so desires, 90 days

after adjournment of the First Regular Session of 126th Legislature.

PART B

Sec. B-1. 20-A MRSA §13008 is enacted to read:

§ 13008. Educator preparation program data

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Educator preparation program" means a public or private baccalaureate-level or postbaccalaureate-level program approved by the state board to recommend graduates for certification pursuant to chapter 502 as prekindergarten to grade 12 teachers, educational specialists or school leaders.

B. "Program completer" means a person who, by successfully completing all of an educator preparation program's requirements, has qualified for a recommendation for certification as a prekindergarten to grade 12 teacher, an educational specialist or a school leader.

2. Data collection. The department shall collect data relating to educator preparation programs, including but not limited to the following information with respect to each educator preparation program:

A. The number of program completers;

B. The number of program completers who pass certification tests and the number of those who attain provisional licensure in the State;

C. The number of program completers who proceed from provisional licensure to professional licensure; and

D. The number of program completers who are teaching in schools in this State 3 and 5 years after they complete that educator preparation program.

3. Report. The department shall annually report the data collected under this section to the Governor, the state board and the joint standing committee of the Legislature having jurisdiction over education matters.

Sec. B-2. 20-A MRSA §13011, sub-§6, as enacted by PL 1989, c. 889, §8, is repealed and the following enacted in its place:

6. Alternative pathways to certification. The state board shall develop and adopt rules providing a method for a person who has not completed an approved educator preparation program as defined under section 13008 to obtain provisional educator certification through an alternative pathway that:

A. Is designed for candidates who can demonstrate subject matter competency that is directly

related to the certificate endorsement being sought and obtained through prior academic achievement or work experience;

B. May feature an accelerated program of preparation;

C. Uses mentorship programs that partner teacher candidates with mentor teachers; and

D. Includes accountability provisions to ensure that teacher candidates demonstrate the knowledge and skills established pursuant to section 13012, subsection 2-B prior to issuance of a provisional teacher certificate.

Sec. B-3. 20-A MRSA §13011, sub-§10, as enacted by PL 2003, c. 445, §2, is amended to read:

10. Conditional certificate; transitional endorsement; exception. A conditional certificate is a certificate for teachers and educational specialists who have not met all of the requirements for a provisional or professional certificate. A school administrative unit may employ a conditionally certified teacher or educational specialist who is in the process of becoming professionally certified notwithstanding the availability of provisionally or professionally certified teachers or educational specialists. Any amendment to the rules adopted pursuant to this chapter that revises the qualifications for a conditional certificate or transitional endorsement does not apply to a person who was issued a conditional certificate or transitional endorsement prior to or during the school year preceding the adoption of revisions to the rules as long as the holder of the conditional certificate or transitional endorsement annually completes the required course work and testing as determined by the department for the school year preceding the adoption of revised rules.

Sec. B-4. 20-A MRSA §13012, sub-§2-A, as enacted by PL 2001, c. 534, §2 and amended by PL 2005, c. 397, Pt. D, §3, is further amended to read:

2-A. Qualifications. State board rules governing the qualifications for a provisional teacher certificate must require that a certificate may only be issued to an applicant who meets the requirements of subsection 2-B, has successfully completed a student teaching experience of at least 15 weeks and:

A. For elementary school, has met academic and preprofessional requirements established by the state board for teaching at the elementary school level and has graduated from an accredited, degree-granting educational institution upon completion of:

(1) A bachelor's degree from a 4-year accredited college or university;

(2) A 4-year program in liberal arts and sciences; or

(3) An approved 4-year teacher preparation program and has majored in the subject area to be taught or an interdisciplinary program in liberal arts;

B. For secondary school, has met academic and preprofessional requirements established by the state board for teaching at the secondary school level and has graduated from an accredited, degree-granting educational institution upon completion of:

(1) A bachelor's degree from a 4-year accredited college or university;

(2) A 4-year program in liberal arts and sciences; or

(3) An approved 4-year teacher preparation program and has majored in the subject area to be taught;

C. Is otherwise qualified by having met separate educational criteria for specialized teaching areas, including, but not limited to, special education, home economics, agriculture, career and technical education, art, music, business education, physical education and industrial arts, as established by the state board for teaching in these specialized areas; or

D. Has completed 6 credit hours of approved study within 5 years prior to application, has met entry-level standards and has held either a professional teacher certificate that expired more than 5 years prior to the application date or a provisional teacher certificate issued prior to July 1, 1988 that expired more than 5 years prior to the application date.

Sec. B-5. Certification rules. The State Board of Education shall amend its rules relating to certification of educators under the Maine Revised Statutes, Title 20-A, section 13012 to require that any person seeking an endorsement to teach kindergarten to grade 8 students must demonstrate proficiency in math and reading instruction, including evidence-based reading instruction. For the purposes of this section, "evidence-based reading instruction" means instructional practices that have been proven by systematic, objective, valid and peer-reviewed research to lead to predictable gains in reading achievement. The requirement must apply to all teachers and educational specialists, including teachers in special education and teachers of English language learners.

Sec. B-6. Alternative certification working group. The State Board of Education shall establish a working group to develop one or more alternative certification pathways that meet the standards set forth in the Maine Revised Statutes, Title 20-A, section 13011, subsection 6. Members of the State Board of Education shall participate in the working group, and the State Board of Education shall invite the participation of representatives of the Maine Education Association, the Maine School Superintendents Association, the Maine Principals' Association, the Maine School Boards Association, Maine Administrators of Services for Children with Disabilities and Maine Administrators of Career and Technical Education, representatives of approved educator preparation programs, parents and the business community and other interested parties. The working group shall submit a report describing one or more alternative certification pathways to the State Board of Education and the Commissioner of Education. The State Board of Education shall submit the report to the Joint Standing Committee on Education and Cultural Affairs no later than November 1, 2012. The report must include pathway descriptions, the working group's recommendations and any draft legislation or rules needed to implement the recommendations.

Effective 90 days following adjournment of the 125th Legislature, Second Regular Session, unless otherwise indicated.